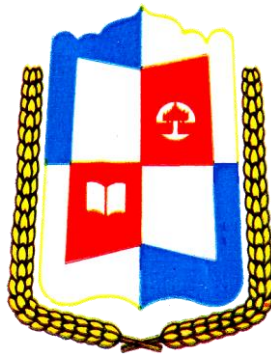


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A Study on the Retreat of Military in Myanmar's Politics since 2011:
Executive Branch

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A Study on the Retreat of Military in Myanmar's Politics Since 2011: Executive Branch

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- India's Military

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Although the transitional reform have been taking place in Myanmar, the military doesn't really retreat from politics and demilitarization isn't literally supportive to democratic transition.

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Literature Review

All over the world, military intervention on state administrative power were involved in historical legacy which long term struggle by military involved in state history. **Chao-Tzang Yawnghwe** focused on historical legacy and guardianship ideologies on the politics of authoritarianism. **Chao** pointed that the three countries, Indonesia, Thai, and Myanmar, They have been highly visible, often actors, frequently displaying a reluctance to leave the management of national affairs to civilians.¹ **Chao** mentioned that Soldiers' political involvement in Myanmar, Indonesia, and Thailand were not merely as actors 'intervening or meddling in politics.'² There are generally defined as military based polities where political power is concentrated in the hands of a few key leaders (operating within the state administrative power).³

Chao suggested **historical legacy** on three countries that over three fourths of the states created since 1945 have experienced direct military rule and military role in politics has been significant.⁴ It has become in many Third World countries as important, at least, as other state institutions, such as civil bureaucracy's legislatures, the counts.⁵ The militaries subsequently mythologized their role in the independence struggle and now see themselves as creator guardians of the state and nation.⁶ After independence Burma in 1948, Indonesia in 1949, Soldiers were closely involved in the respective struggles of the new rulers to militia power and preserve the territorial integrity of the new states. In Thailand, the soldiers played a pivotal role in the people's revolution of 1932, which forced King Parajadipok (Rama VII) to relinquish absolute power. From 1939-1944, the military was the main prop of the modernizing authoritarian regime led by Pibul Songkhram. In 1947, military led by kings post war civilian government, and installed Pibul as head of a military regime. Again 1958 to 1973, soldier's regime was toppled by a mass uprising. There followed a period of unstable, sometimes violent politics, as

¹ Chao-Tzang Yawnghwe. THE POLITICS OF AUTHORITARIANISM: THE STATE AND POLITICAL SOLDIERS IN BURMA, INDONESIA, AND THAILAND M.A., University of British Columbia, 1990 B.A., University of Rangoon, 1961. P10

² Ibid

³ Ibid

⁴ Ibid p.9

⁵ Ibid

⁶ Ibid

the military attempted to reassert itself. In 1990, the Bloody May incident forced the soldiers to withdraw, and to be content with behind the scenes influence.⁷

Chao also pointed guardianship ideologies that Soldiers in Burma, Indonesia, and Thailand, the armed forces as an institution are the guardians of the state and the national interest. The notion of the military as guardians standing above politics and governments, is common among Third World Soldiers.⁸ Soldiers in Burma have never possessed such doctrine and are only now attempting to legalize a guardianship role at the ongoing National Convention (1993). Nonetheless, the lack of a formal doctrine has not prevented soldiers from claiming a guardianship role.⁹

David Kuehn (2016) found historical legacy on institutionalizing civilian control of the military in new democracies that the process of institutionalizing civilian in new democracies as series of power struggles between the democratically elected civilians and the military leadership. **David Kuehn** noted that The outcome of these power struggles depends on the respective bargaining power of civilians and the military, which is in turn a function of (1) the willingness of civilians to challenge the military's institutional prerogatives and the military's willingness to defend them and (2) each party's ability to bear the costs of a civil military conflict. The expected development of civil military relations after the transition to democracy and the possible outcomes of civil military power struggles in post transition South Korea.¹⁰ **David Kuehn** also performed a study **guardianship ideologies** that In South Korea, the military dominated the authoritarian regime and was able to secure a wide range of prerogatives well into the democratic period, civilians ultimately managed to establish civilian control.¹¹

David Kuehn across several studied on **historical Legacy** that The military took its place at the centre of South Korean politics on 16 May 1961, when, under the leadership of Major General Park Chung-hee, it staged a coup against the democratically elected government. Major General Chun Doo-hwan and Lieutenant General Roh Tae-woo seized control of the military and staged a coup on 12 December 1979, establishing a new military-led regime under the leadership of Hanahoe (Group One). General Park to ensure his personal control over the army.

⁷ Ibid. P10

⁸ Ibid. P13

⁹ Ibid. P13

¹⁰ David Kuehn. Feb 2016. Institutionalizing civilian control of the military in new democracies; Theory and evidence from south Korea. P3

¹¹ Ibid. P14

Especially high ranking and powerful posts such as those within the presidential secretariat, the military intelligence services, and the leadership of elite combat units. Chun made sure to give his regime constitutional and civilian window dressing – for instance, by retiring from the military and recruiting civilian technocrats into state agencies – it was nevertheless a continuation of Park’s military regime and “undoubtedly the most nakedly authoritarian regime on the whole in contemporary Korea” Non-military agencies had no meaningful authority or oversight over the defense budget, and the planning, development, and implementation of defense and security policy was completely in the hands of military-controlled institutions such as the Ministry of National Defense (MND) or the Agency for National and Security Planning (ANSP, the main, formally civilian intelligence service) and military-internal agencies. Civilian participation and public debate on matters of defense and national security were severely restricted (Moon 1989: 15).¹²

Min Than notion on Peace, Stability, and development on the Tamadaw in the Hluttaw, that the armed forces have the “duty” to defend the country’s independence and sovereignty has been ingrained in the military’s collective psyche since then. He also pointed guardianship ideologies that The 2008 Constitution provides for the military to hold 25% of parliamentary seats and highlights the Tatmadaw’s persistence in maintaining a “vital role” in national political leadership. In the two parliaments under the Union Solidarity Development Party (USDP) and National League for Democracy (NLD) administrations, the military members of parliament have consistently opposed all processes or proposals that they saw as contravening the provisions of the 2008 Constitution. He favorable mentioned **peace, stability, and development** that there have been much speculation on the role of the Tatmadaw in Myanmar’s future political life. The Tatmadaw has undertaken to step back from politics and return to the barracks when there are peace, stability, and development in the country. Until such a time, political parties will need to view Tatmadaw as a colleague in state-building.¹³

¹² Ibid. P15

¹³ Min Than. The Tamadaw in the Hluttaw. Singapore. November 2018. Issue: 2018 Np73., ISEAS Yusof Ishark Institute. P2

Introduction

Myanmar embarked on her first transition from military regime to democracy since the end of 2010 and 2011. The 8888 Uprising, which began in 1988 has been for 20 years since then the military seized the power. Transition was initiated with the military sponsored Constitution and the transitional framework laid down by the military. Myanmar's transition is similar to that of Indonesia and South Korea but not identical. Military officers suited in civilian dress and the presence of military officers in the Congress are the good examples of military's framework. Another important remark was raised with the 7 tips roadmap drawn by the military.

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At this point, it is necessary to examine the parts that occurs military's retreat. How has the retreat been making? Is the retreat supportive to democracy of the country? These are the questions to be made in analyzing the role of military. This paper is going to examine the two major factors: government and bureaucracy. The former represents "head" and the latter "body". In analyzing the democratic transition of Myanmar, it is going to scrutinize how the changes have been made not only to the head but also to the body physically and in essence. How was the form of bureaucracy under military regime? How is it changing now? Therefore, the question of how genuine is the bureaucracy reform will be examined in this paper.

https://en.wikipedia.org/wiki/Roadmap_to_democracy

1. ¹⁴ First Phase - To reassemble the National Convention, which had been suspended since 1996.
2. Second Phase - To implement step by step the requisite tasks for the founding of a democratic system when the National Convention has been successfully concluded.
3. Third Phase - To draw up a draft constitution based on the general concepts and detailed principles advocated by the National Convention.
4. Fourth Phase - To hold a national referendum to endorse the draft constitution.
5. Fifth Phase - To hold free and fair elections for the formation of the required national legislative bodies (Hluttaw).
6. Sixth Phase - To convene the meeting of elected representative to the Hluttaw.
7. Seventh Phase - The leaders, government and authoritative bodies elected by the Hluttaw to continue with the task of constructing a new democratic state.

A comparative type is going to be used to study the changes in the head which is followed by those of the body. The reforms must be well- defined. Not only the head but also the body must follow the changes in both ways as physically and in essence. Based on these factors, democratic reforms would be effective and beneficial to the public.

Myanmar has had transitional government from 2011 until 2018 such as USDP government and NLD government. It is necessary to examine how the reforms made by these two governments are supportive to democracy. Moreover, it needs to compare and analyze the performance and capabilities of these governments.

This paper is going to scrutinize the transitional processes conducted by these governments, including the way that military retreats from Myanmar's politics. And it is also going to examine the capability of transitional governments and the flexibility of bureaucracy over the reforms. Finally, it is going to analyze how supportive the transitional reforms to democracy.

1. Political Structure of Myanmar: Government

Myanmar has had various political systems and regime types through history. Myanmar has adopted absolute monarchy. Myanmar was under colonial rule and also under Fascist regime. Parliamentary democracy system and one party system (Socialism) were also practiced in the past. Last but not least, Myanmar also lived under military regime. These experiences of passing through various political systems and regime types practically impact the current Myanmar's political, economic and societal conditions. Consequently, Myanmar has had a historical legacy for years as follows;

- Resentment born out of authoritarians
- Racial prejudice
- Growing skepticism among the ethnic groups
- Inequality in wealth distribution
- Clash of interests, and
- Lack of rationality

In 2008, military- sponsored Constitution was ratified by referendum. According to 2008 Constitution, the six national accords were prescribed as below;

1. Non- disintegration of the Union
2. Non- disintegration of National Solidarity
3. Perpetuation of sovereignty
4. Flourishing of a genuine, disciplined multi-party democratic system
5. Enhancing the eternal principles of Justice, Liberty and Equality in the Union, and
6. Enabling the Defense Services to be able to participate in the National political leadership role of the State¹⁵

According to 2008 Constitution, the leading role of military is illustrated at the national and regional levels. The same is true for executive and legislative branches of the country simultaneously. At the national level, military is included in two sectors- National Defense and Security Council (NDSC), and Cabinet. NDSC is composed of 11 members over which the

¹⁵ Article 6, Chapter 1, 2008 Constitution of the Union of Myanmar

military takes six seats. Concerned with the Cabinet, military has a leading role in the ministries of Border Affairs, Home Affairs and Defense. On the other hand, president does not have the authority of Commander-in-Chief where he stands like a separate authority of the state. In the national legislative branch, military takes the seats of 25% in the Congress. In the Lower House, military takes 56 seats over 224 seats in total and 110 seats over 440 seats in the Upper House. In the National Judiciary Branch, Court-Martial is separately prescribed. Therefore, it seems that military exists separately from the civil judiciary branch. This is a general description of the military at the national level. The same is true for the Executive and Legislative Branch at the regional/state levels. In the Cabinet of the region/state, military holds the seats of the ministers, representing 25% in the Congress. All the military representatives are selected and appointed by the Commander-in-Chief. They are not elected. The Commander-in-Chief has separate political power and rights.¹⁶ According to the prescriptions in 2008 Constitution, it is obvious that military holds a vital role in national politics of the state. Slightly different from the military authoritarian regime which took an absolute control of the country, it is seen that military stills captures the important sectors of the country. Democratization is a process of substituting the old institution with a new one. It is therefore necessary to examine how far the steps of democratization have gone. Specifically, it is to scrutinize the three steps of transitional process-liberalization, transition and consolidation.

1.1 USDP Government

The USDP government led by Thein Sein became the government with 50.07 % of winning votes.¹⁷ Thein Sein Government was born out of USDP party which was transformed from Union Solidarity and Development Association (USDA). It was the military-backed association and

¹⁶ Adhi Priamarizki. "Military Reform and Military Maverick. Case Studies: Indonesia, Myanmar, and Thailand".

The formation of state and region governments is a major development. However, a centralized executive appointment process limits the political autonomy of these new governments. Chief Ministers participate in the state/ region hluttaw, but they are accountable ultimately to the President, not to their assemblies. They also choose their cabinets. On the other hand, the establishment of hluttaws in states and regions has created new opportunities for debate and discussion. In ethnic states, regional and ethnic parties have gained significant representation, but the impact of appointed military representatives is, as yet, unclear. So far representation in state/ region government has been limited almost entirely to men.

¹⁷ https://en.m.wikipedia.org/wiki/2010_Myanmar_general_election

built by the military government. Transforming the association into the party, the military officials are changed into civilian garments. A political analyst Ne Win Mg stated this condition as “Lu Ma Pyaung. Mu Pyaung. (Same people but different strategy). Thein Sein government which ruled from 2011 to 2015 can be named as take-off-the-garment government or the hybrid government. The Cabinet formed by Thein Sein government included only 6 civilians over 35 ministers and all those civilians are also hand-picked by the military.

1.1.1 Analysis on institutionalization

The cabinet was led by Thein Sein while the former General Shwe Mann, who was also the chair of Upper House, led the USDP party. Both Thein Sein and Shwe Mann were reformers. ¹⁸Democratic Opposition Leader Aung San Suu Kyi was still under the house arrest during the 2010 elections held by the framework of 2008 Constitution. The 2010 election results was skeptical and political analysts were suspicious of the results. The elections were missing the standards of the free and fair elections. Nevertheless, Thein Sein government made the reforms steps by steps which are described as follows;

- Canceling the blacklists
- The release of political prisoners
- Freedom of media
- Freedom of Associations
- Opening up the telecom-communications system
- Freedom of assembly
- Admission of state re-entries
- Economic liberalizations

¹⁸ Zoltan Barany, “Myanmar’s Rocky Road to Democracy”: IAI Working Papers 17/27- September 2017. Unlike Than Shwe, the previous leader of Myanmar military junta, Thein Sein has a much less autocratic leadership style and relatively free from corruption and violence stories. Thein Sein realized that Myanmar needs to connect with international community through democratization in order to open more channels for economic development. He acted as the bridge between the military and other groups, including insurgents, to start negotiations.

Apart from the above liberalizations, the trend of international relations has changed, especially the relations with the western states. Some important cases are Thein Sein's visit to the US and the US president Obama's visits to Myanmar. On one hand, the USDP government made some liberalizations on the performance level, including political affairs. Despite the continued grasp of the power, it was unclenched to some extent. On the other hand, military was mixed with politics and the type of people-centered politics was emerged. The unconventional political trend evolved and the military itself camouflaged in politics, shifting the monopolistic structure.

In fact, there is no military retreat in reality as they are even running officially in politics, especially Congress and party politics. Military didn't take part in the party role before as it was under military regime. However, on the emergence of political parties respectively for democratic scenario, military took part in politics by founding parties. This is practically not the retreat but the enhancement of military in Myanmar's politics. In other words, it can be said that political openness is being gained with participation of public in party politics. Instead of the retreat, military opened the playground of politics.

Another area of military playground is congress which didn't exist before. All decisions were made based on top-down system or from the single authoritarian or single group. Legislature sector, including representatives and the habit of discussion was raised following 2010 elections. Military holds a quarter of total seats in legislature. This is a new scenario of merging with public for military.

Before 2010 elections, military had some preparations for a new democratic scenario such as drawing a new Constitution, building a new capital city and establishing new institutions (including buildings for congress and ministries). New opportunities for public participation were made to activate the new system but it was limited by rules and regulations. A good example for this is the usage of "disciplined democracy" prescribed in 2008 Constitution.

The role of military participation was changed after 2011. It applied direct rule in the past but now in the sense of indirect rule. The past was military rule but the present is military-oriented rule. More examples come here to examine this. The USDP party began running the political playground depending on the direction of military. Moreover, state-owned media

becomes military-oriented shifting from State-owned Media to State- controlled media. For example; MRTV-4, Sky Net. The same is true for civil service organizations. Government-owned Non-government Organizations (GONGOs) were emerged after 2011. For example; Egress Myanmar.

Military mixed all forms of isolation in politics taking part in new-formed institutions and shifting from direct rule to indirect rule by means of adopting, dominating or being representational. In this sense, the political scenario becomes softer but more complicated and unpredictable. Aiming to change the original anchor condition, military made some moves grasping the anchor meanwhile. In fact, the goal wasn't changed but only to strategy. Therefore, it is important to ascertain the retreat process of military from politics.

1.1.2 Analysis on performance

There were transformative agendas with providing three liberalized waves done by U Thein Sein's government such as: - Political liberalization - Economic liberalization - Bureaucratic liberalization. In political liberalization, peace process was as a crucial agenda with setting up a Nationwide Ceasefire Agreement (NCA) and negotiation with Ethnic Armed Organizations (EAOs). But NCA was controlled by military as a key player not U Thein Sein's government. The military could manipulate as their optional conditions to make a framework of NCA as following: Accordingly, peacemaking is mainly depend on military in which the peace would not been concerned by other unarmed people who are victims of suffering due to armed conflicts. Therefore there was a question that the peacemaking done by U Thein Sein's was only the affair among armed groups and could not represent people's concerns of the whole country. So military fair deeply focused on peacemaking strategy that could assigned the peace agreement with eight armed groups. Instead of being some weakness in policy, that strategy was successful for some extend.

When NLD government hold the office, these peace processes were continued to perform as changing with the heading of twenty first century Pang Long peace conference. There should be needed carefully observed the performance, effectiveness and achievement of the peacemaking process of NLD.

1.2 NLD Government

NLD party won landslide in 2015 General Election and took the office in March 2016. The transferring of power from previous government to NLD's was rather smooth but there were some political contest before the new government could not well established, especially in the new post of State Councilor and there were also some concerns about whether NLD could form a new government or not.¹⁹

NLD government formed the cabinet with mostly old technocrats and bureaucrats but only a few were from elected persons. Consequently, the result of 2015 Election changed the ratio of civil and military person in the cabinet to civil predominant. Nevertheless, because these changes of quantity would not be actual quality change, NLD's performance will need to be observed in special sectors such as

1. Economic sector,
2. Peace and rule of law sector,
3. Service (education and health) sector,
4. International relation and
5. Administrative sector.

Peace Sector: The main objective of the 21st century Panlong Conference is to be all-inclusive with full-fledged representation of all ethnic groups without being restricted with signing nor non-signing. Theoretically it is more than signing and discussion among ethnic groups since it is targeted for all groups in the union. It focuses on understanding each other by means of discussion, meeting and exchanging opinions rather than signing without much deep

¹⁹ Min Zin, "The New Configuration of Power", Journal of Democracy: April 2016, Volume 27, Number 2

The public's distrust and hatred of the previous military regime carried over to the USDP government, which continued some of the junta's practices, including land grabbing, corruption, and political crackdowns. Voters registered their disapproval by casting their ballots *against* the incumbents. Also working in the NLD's favor was the first-past-the post electoral system, which prevented identity voting from gaining traction in most constituencies. Voters worried about the prospect of the NLD being unable to form the new government if they cast their votes for smaller parties, even those of their own ethnic group. In short, the NLD's strategy of countering the campaigns of the ethnic-minority political parties and emphasizing the overarching political cleavage between the prodemocracy NLD and the military-backed USDP proved highly effective.

understanding. At this point, it is necessary to consider and reflect that whether all-inclusiveness is flexible with Myanmar's politics or not.²⁰

1.2.1 Structural Analysis

The main theme of the 21st century Panlong Conference is different from the one undertaken during Thein Sein's reign. It is meant not only negotiations among the ethnic armed groups but also unarmed groups. It is regarded that peace process is concerned with all ethnic groups whether they are armed or unarmed. Therefore, peace process under the new civilian government targets to promote and enhances all-inclusiveness. In the 21st Century Panlong Conference, ethnic representatives, political parties, intellectuals, armed groups, military representatives and observers are allowed to take part in the discussion.

This process leads to a broader path than the original NCA path. Compared to the inclusiveness in NCA, it is found that the 21st Century Panlong Conference extends the inclusion of not only military but also civic society. Even though the involvement of military in peace process couldn't be reduced, it was able to raise civic participation which can be seen as another example at this point.

Another factor goes with the following principles that the NLD party prioritizes when they occupy power as a government.

²⁰ Ibid

Already during the electoral campaign Suu Kyi declared ending the civil war and the creation of a federal system as her number one priority. She established a new centre to be responsible for the peace talks and subordinated it to the Ministry for State Counsellor's Office. In August 2016 the government convened a four-day Union Peace Conference that, for the first time since independence, brought together factions representing all sides – ethnic armed organizations, the government, parliament, political parties, and the military – to discuss ethnic relations. Although the NLD strove to make the meeting all-inclusive, three major EAOs that refused to renounce armed resistance did not attend. In May 2017 a second peace conference took place in Nay Pyi Taw, Myanmar's purpose-built surreal political capital. Chinese mediators arranged to bring seven additional EAOs theretofore reluctant to sign the NCA, but they merely observed the proceedings and were not allowed to participate. In any event, when the discussion turned to critical issues – the giving up of arms, secession, a truly federal army that would integrate some portions of the ethnic fighters – it predictably broke down.

- National reconciliation
- Peace and building federal union
- Economic Development

As NLD government focuses on national reconciliation, it is regarded that it promises not to dig up the historical resentment. Therefore, it carefully avoids direct confrontation with military with gentle dealing. Rather than direct reducing military's involvement, it attempts to limit military authority to some extent. A good example can be seen in land grabbing case. Military is gradually returning lands that was grabbed before to the original land owners, and amending land laws and implementing enacted land laws are also occurred as activities to indirectly restrict military's hand to some extent.

1.2.2 Performance Analysis

A similar condition is found in peace process. It is understood that the role of military has been reduced by adding civic participation concerned with peace and ceasefire process. Since peace process leads to building federal union, it is possible to reduce military involvement by framing federalism and building federal union. Federalism involves the processes of the sharing of power, resources, finances and minimization of centralization. Accordingly, there is an indirect way to restrict military involvement by building federal principles.

In relation to bureaucracy, no vivid activities of NLD government is found so far. Superficially, there is smooth relations among Director Generals, Secretaries and Union Ministers but the real authority for decision-making comes from Secretaries and Director Generals, not from ministers. Ministers stay as the level to take responsibility and sign related documents. This can be seen as a consequence of the new civilian ministers' lack of skills and expertise and rules of regulations of the department.

Since NLD government focuses on national reconciliation, bureaucratic reforms are not handled obviously at the grass-roots level. It relates to not only the skills and expertise of civilian ministers, regional and state governments but also the strategies of Union Government/ NLD government. No vivid attempts has been made to reduce military's influence over bureaucracy. This maybe because of the fact of holding the principle of national reconciliation firmly.

The positions of Directors and Permanent Secretaries are occupied by military officials according to military's plan. Administration process is based on bureaucracy and Directors and Permanent Secretaries are the head positions of bureaucracy. The government is formed by civilian ministers in name only since the head bureaucrats hold the administration process in reality. Relating to responsibility and accountability, government is the one who is accountable and bureaucracy responsible. Despite the accountable person is civilian, the responsible person is found as the hand-picked one by military.

Under NLD government, the head (government) is changed but the body (bureaucracy) is still remained. While the head is having incapability and restrictions on authority, the political culture of the country is disturbing the reach of the new civilian government at the same time. It still can't overcome the centralized condition of the Central government. Accordingly, no vivid reforms but only slow continuity is found during the new government's reign.

The former military officials still exist by changing garments in bureaucracy. No actions have been made to remove them nor no specific reform strategies for militarized bureaucratic mechanism is made. Under the government headed by President Win Myint, it is found to take actions against corruption concerned with bureaucracy. This process is also meant to implement anti-corruption rather than to restrict military. This is not a reform process to reduce military's involvement directly.

To sum up, NLD government is the first civilian government formed by opposition party in Myanmar's history. Having no government experience, not being in stable democratic administration framework and having no precedent preparations let the civilian government stay in many difficulties and chaos for many reasons. Regarding the historic political background of the country, it is impossible to adopt Radical Reform as it is still stuck in political dilemmas such as split and fear, the dominant factors of Myanmar's politics.

Therefore it is still difficult to implement demilitarization and some attempts are just made to restrict military's authority indirectly rather than directly. On the other hand, the government is still in its learning period (weaning period). After holding political power but not having enough expertise and experience, NLD government has to struggle to manage the governmental pursuit which has made it difficult for them to move further.

1.3 Comparative Analysis of USDP and NLD Government

There is an enormous difference between USDP government and NLD government. USDP government is transformed from military while NLD government is formed by opposition civilian party. USDP government has the administrative experience of over 20 years and military institution has been stabilized in their preferred sectors for their own interests while NLD government, having only the experience of opposition politically, is lack of administrative experience. Landslide public support through 2015 elections brought NLD party or the opposition group to the place of power holder. Not much prior preparation nor enough time for forming a government ahead. The role of driver seat was passed suddenly in the military driven setting.

Not only local but international analysts doubted about the governance skills of NLD government. The public was worried and the loser USDP party was watching at the same time. Regardless of having many limitations, it is found that NLD government could manage well to drive the governance mechanism without many chaos despite there is no big reforms during their reign.

However, it is seen that the reform processes are still being proceeded and the case of corruption is being held with force. And the basic problem of land grabbing is being handled further by means of returning lands to the original owners. Nevertheless, this is not effectively done in the primarily serious areas such as Lapdaung Mountain Project.

2. Bureaucratic Structure

The major responsibility of bureaucrats is to deliver public services to the peoples. On the other hand, it means to serve the people of the country. However, the meaning is different in reality. Literally it is to serve the people but the government is being served in reality. To be specific, it means to serve the government officials.

Bureaucracy is not to do policy decision making but to implement the policies laid down by the government. Government makes decision making. Bureaucracy implements the policy by using the tools of laws and rules and regulations. It uses the law enforcement mechanism but not without abiding the laws.

Bureaucrats are not elected but appointed and employed by the state. They need to understand the rules and regulations of the state. Their main responsibilities are to manage, administer and give services. They need to be savvy for related tasks. There are basically three main sectors in bureaucracy such as administration, security and service. In countries with lots of state-owned enterprises, they are charged with economic affairs. The role of bureaucracy is large in countries dominated by the role of statehood. The role of bureaucracy is far-reaching which is common in centralized conditions.

State intervention and the vast role of bureaucracy are common in centralized states, especially the ones under Communist, Socialist and Authoritarian regimes. A notable term here is “the Red Tape” which refers to highly centralized system. Myanmar once implemented Socialist economics. The state- enacted system was applied to agriculture, milling, production, transport, storage, distribution, selling, pricing and etc. The private sector, private access to property and market economy were waned during this period. Instead of being driven by the system of incentives, bureaucracy was driven by that of Ma Lote, Ma Shote, Ma Pyote. The role of party was large with the vast majority of state- intervention.

All conditions continued to be the same until the periods of SLORC/ SPDC after 1988. However, the market was not seized like before under Socialist system. Private sector and private property were slightly unclenched. Spontaneously the border line was reopened for market flow but only with the tax-lined permits. The role of state and bureaucracy existed vastly since 1962 Revolutionary Council’s seizure of power until 2010 military regime. And the remaining institution is still affected by the figures of the old one. It can be said that Myanmar’s bureaucracy is large. The number of bureaucrats is about 900,000 out of the total population of 52 million. Excluding the number of military officers, it has 1.7 % of the country’s population. ²¹

It is therefore necessary to figure out the size and strength of Myanmar’s bureaucracy. In doing so, it is necessary to count the role of military, its intervention and dominance over bureaucracy since Myanmar is a state transitioned from military regime.

²¹ Issued by Union Civil Services Board

2.1 Bureaucratic Context under Military Regime

Historical Calendar of Regional and State Administration

1947	According to the 1947 Constitution, the nation is organized with 4 states, 8 divisions and a special region.
1953	New forms of representations are made by democratic regional government act and Village/ Ward tract Councils are elected through elections.
1957	General Administration offices are created and administration officers are appointed up to the village tracts.
1962	Administration committees are formed under direct control of Revolutionary Council and civilian rule is deteriorated.
1964	The law is enacted to cancel the democratic regional government and the military seized the power to control administration.
1974	Public Councils are made under the control of Central Government at state/division level, township level, ward level and village level. All forms of administration fall under the direct control of central military government.
1988	State Law and Order Restoration Council (SLORC) is organized at every administration level and military officers are appointed at every level of administration. No elections were held and voting system was abolished.
1997	State Law and Order Restoration Council (SLORC) is transformed into State Peace and Development Council (SPDC). Strict centralized administration system is formed and military applied centralized rule at regional, state, district, township, ward and village levels.
2011	According to 2008 Constitution, the union is constituted by 7 regions, 7 states, 5 self-administered zones, a self-administered division and a union territory. All regions and states are administered by ministers directly; districts and townships are administered by General Administration Departments under direct control of Ministry of Home Affairs.
2013	Holding elections, local administrators are appointed at ward tract and village tract level.
2014	Municipal committees are organized with elected municipal officers at division and township level.

During military regime, all administration processes are set under direct military control at every level of the union- state level, division level, district level, township level, ward level, etc. Military officers are appointed at every level of administration except ward level. The highest power is bestowed in the regional minister at state/ regional level. The participation of civilians in District/ Township level council chairmanship is rare and their contribution is found only in hand-picked condition by military. The same is true for Ward Council Chairman.

After 1962 and 1988, civilian guardianship and bureaucracy were militarized by means of substituting and appointing military officers at every level of bureaucracy. The military

guardianship was activated. During Socialist period, the BSPP party was transformed from military and as a consequence, the role of civilian was limited but availed to some extent. However, under military regime, administration process was set under direct military rule.

Transforming into militarized bureaucracy, it is seen that the original and ultimate responsibilities and duties of bureaucracy was gradually faded. The “U-Bo- Thakin” Split was occurred during parliamentary democracy period and there was misunderstanding among the major drivers of the state- bureaucrats, military and politicians. Consequently, politicians’ impression on military was spoiled; military lost respect on politicians; politicians denounced bureaucrats; bureaucrats depressed politicians and so on.

According to the leftist concept, bureaucracy is defined as the system of spoiled high-ranking officials’ dominance and bureaucrats as “spoiled officials”. Since the increasing dominance of leftist after independence, bureaucrats are named as “A- Lo- Taw- Ri (the handpicked person of colony for their sake). Therefore, the bureaucratic mechanism inherited from British colony was deteriorated after independence. Based on that, the condition went worse under one party regime and military regime.

Myanmar is now in her transition period but with the bureaucratic system being spoiled many years. Although the head (government) is changed, the body (bureaucracy) is still finding hard to transform. All the government departments are controlled by the central government under military regime. Orders are descended from the centralized authority. The heads of government departments are substituted with military officials. Military officials even took the positions of university principal. In addition, they were zealous to enter into the departments which have good flows of formal and informal income. The government departments were therefore full of military officials by means of transforming garments. They were found at every level of bureaucracy from officer to Director General (DG).

There is an intention behind this substitution in bureaucracy by which to firm up the military regime and to extend the hand of military regime. On one hand, the role of civilians was reduced by means of militarization in an attempt to bring easy administration over the country. And administration was stabilized by forming investigation corps and the whole country was ruled by military orders.

There were laws under military regime, but not like the ones enacted and prescribed by the legislative branch but by means of mouth orders. The prescriptions of laws were published by Sd. Than Shwe. Laws were written, prescribed and enacted by individually or monolith. Bureaucratic mechanism became enlarged and more complicated as the centralized administration system was activated.

This led to the new form of bureaucracy with increasing rate of corruption and bribery. The corruptive bureaucrats were always in search of informal income or bribes and the department heads became the powerful authority which could dominate the whole department. Myanmar underwent the strict monarchic system ruled by a monarch and many princes under military regime. Military occupied the civic organizations under its authority by means of militarization. There were two forms of militarization: setting militarized rules and regulations and appointing military officers in non- military government departments by changing garments. In this way, military entered into bureaucracy by merging their intention of extending their personal interest and forming guardian administration. Exactly, there are three main factors in militarization:

- ❖ to dominate administration
- ❖ to extend the military interest
- ❖ to relocate the excessive or unnecessary military officers in bureaucracy

All those military officers being relocated in other government departments are found as the disabled, the ones suffering Hepatitis B virus and C virus, those who missed the promotion during the given period and those appointed to secure militarized guardianship. There are some specific and obvious examples of the above statements. The first example is found in Myanmar Police Force which is an armed force. Most of the heads in police forces are from military. The best way of transforming military officials to police is changing garment. Another example is Central Intelligence Agency. All departments of investigation, comprised of military officials are controlled by military.

The next example is department immigration which keeps records of demography, personal information and other related minutes. Immigration departments basically perform the tasks of collecting and keeping information personally and for security. Therefore, it plays an important role in administration process. Immigration departments are controlled by former military

officials. Then Revenue department shows another example at this point. It is a department which has income for the country and so most military officials which have changed garments want to go there. In order to make sure of their interest, most military officers give bribes to be able to transfer to that department and the relevant authority accepts the bribe and relocate the positions. A similar example can be seen in border municipal department which has a good flow of income. Opening up the trade flow during military regime, more authority and power were bestowed towards Revenue Department, Immigration and Border Municipal department. This led to the increasing transfer of military officers to those departments which can be seen as a process related to position, power, right and interests.

Military guardianship is a form of centralized system which keeps control of the major sectors of the country. Since there are a lot of state-owned enterprises in Myanmar, the government-led business and services are prevailed in the country. Having a major role in economy, the hand of government's power is enlarged. As a result, the role of bureaucracy becomes higher and spontaneously the bureaucratic heads and authorities become more powerful. Militarized bureaucracy becomes the puppet for military to work on its interests rather than working for public. It becomes a mechanism which not only exploits the public but also suppresses their freedom.

There are also many other departments with the high rate of corruption and bribery, including transport department, construction department and so on. Transport sector includes transports by roads, railway, harbours and so on. Motor vehicle supervision sector which benefits the daily commute of the people is also seen as one of them. Accordingly, transport departments are the ones which can make good formal and informal money. Construction sector is mainly responsible for building up infrastructure of the country. As it is the department which is in charge of construction projects of roads, bridges, dams, reservoirs, schools, housings and irrigation, the rate of corruption is high for Ministry of Construction and its departments. Most military officers change garments and try to enter into transport sector to be able to earn rights and personal interests. The same is true for energy sector, forestry sector and mining sector as they can help extend personal interest based on natural resources. State income under military regime mainly comes from the sales of natural resources.

2.2 Bureaucratic Context in the Transition Period

Thein Sein's Period

Pseudo-civilian government headed by Thein Sein took power after 2010 elections which included only 4 civilians. Despite the strategic change, the major drivers of the strategy still remained. (မူဝါဒ: လူမူဝါဒ) This is the condition of the head (government). Spontaneously, bureaucracy still follow its old way. This is just like putting the new wine into an old glass. While the setting is based on the old framework, many questions are raised about how the new strategy would be able to implement to what extent of success.

Some political reforms let the public get some forms of freedom and opportunities. However, the major unit of governance, Administration Departments are still under the direct control of military. Although township-supportive and ward-supportive groups were organized during Thein Sein's period, it was just a superficial performance which didn't work out.

The major leader of local governance is General Administration Department (GAD) which stays under direct control of Ministry of Home Affairs (MOHA) and MOHA has to bestow direct report to Commander-in- Chief. Accordingly, there was no specific reforms under Thein Sein's period. There were some civilian administrative officers appointed by Union Civil Service Board (UCSB). Nevertheless, the process of appointing the officers is still spoiled by corruption and bribery, lack of transparency and not quality-oriented. However, the former practice of militarized governance was lessened notably.

NLD Period

Since NLD government's priority is on national reconciliation, militarized Local General Governance under Ministry of Home Affairs was not touched up vividly. This is mainly because of the fact that it might threaten civil-military relations on one hand. And on the other hand, the transition process from military regime to democracy in its embryonic stage. After three years of NLD government's power seizure, it was specifically found that General Administration Department (GAD) was placed under Ministry of President Office according to the announcement of President Office. Nonetheless, it is still necessary to keep track of the performance on local administrative reforms.

Apart from GAD, it can be clearly seen that the rate of militarizing into other related departments has lessened. The opposition of public made appointing the camouflaged military officers with a bundle diminish on the other hand. An example of this can be seen in Black Ribbon Campaign in Health Sector which tried to stop appointing the transformed military doctors in public health sector.

Findings and Analysis

Some obvious political openesses have been found during the eight years of transition period from 2011 to 2018. Civilian government attempts to restrict military's hand over country's affairs rather than to work on direct demilitarization. The role of civic participation has been expanded but limited to some extent. The practice of militarization is stopped to some extent. However, the question of whether the army will return to barracks or not totally depends on two main factors: transforming Myanmar Tadmaw into professionalized military and the level of democratic influence. At the same time, it is necessary to consider the factor of capability of civic society.

Conclusion

It is going to sum up this paper with a good example to be able to overview and remark the mentioned statements as above. The role of military involvement in governance sector can be seen in two rooms. In the first process, the room is locked up only with military officers and soldiers. No one is allowed to enter into the room. The room is totally locked up and dominated by military. This shows the period under military regime.

Another process goes in this way. The locked-up room is opened and external civilians are allowed to enter into the room but the existing military officers and soldiers do not leave the place, occupying their original space. Therefore, the second process shows the condition of opened room which indicates a mixture of military and civilians. This process illustrates the condition under Thein Sein government and NLD government. Opening up the locked room means political liberalization but not demilitarization. Demilitarization means the retreat of military from politics but this is a different scenario as it indicates military's presence.

The third process goes in this way. A new room is extended beside the prior room. Military officials and civilians enter into the new extended room together. This extended room reflects the sectors of Congress and Political Party. There was no congress and political parties in the past but newly formed in the transitional period. The presence of both military and civilians occur in this scenario. By looking at this example, it can be remarked that military involvement in politics has been increased more than making a retreat from politics.²² In conclusion, democratic transition from 2011 to 2018 indicates the transform of military regime to military influenced regime. In other words, it can be named as a military regime coated by the civilians (civilian-coated military regime).

²² Marco Bunte, "Burma's Transition to Disciplined Democracy: Abdication or Institutionalization of Military Rule?", GIGA Research Programme: Legitimacy and Efficiency of Political Systems, No. 177, August 2011

The military's withdrawal from the apex of power in March 2011 does not signal a full retreat from politics. The generals' transition ensured a return to civilian rule without relinquishing de facto military control of the government. The military remains the arbiter of power in the country. It dominates all important state institutions. During its transition to "disciplined democracy", it has succeeded in designing a new political system, in which it controls important state institutions. The military has institutionalized its "leading role" in the new competitive authoritarian system. There is some room for autonomy of civilian forces within the ruling party, which until now has been dominated by former generals. Due to the privatization drive in recent years, the role of the armed forces' conglomerates in the economy has been diminished. However, the conglomerates still remain the most important business actors in the country, although the generals' cronies have managed to secure some of the key state assets.

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